



THE NAVAJO NATION

OFFICE OF THE PRESIDENT & VICE PRESIDENT

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CONTACT: GEORGE HARDEEN
COMMUNICATIONS DIRECTOR
OFFICE — 928-871-7000
CELL — 928-380-7688
georgehardeen@opvp.org
pressoffice@opvp.org

Navajo President Shirley, Hopi Vice Chairman Honyaoma join Interior Secretary Kempthorne to sign historic Compact

PHOENIX, Ariz. – With half the 250 people standing shoulder-to-shoulder and peering over a throng of photographers, the federal Interior secretary and the two leaders of the Navajo

Dirk Kempthorne signed the historic Navajo-Hopi Intergovernmental Compact at the Heard Museum here Friday, leaving just one more signature to go – that of U.S. District Judge Earl H. Carroll – to relegate the 40-year-old Bennett Freeze Area to the history books and memory.



“What this agreement means is it’s an era of a new and positive relationship between the Navajo and Hopi nations, and I’m very much looking forward to that, which is the way it should be, working together, complementing each other, standing side by side,” said President Shirley in remarks following the signing of documents. “

Hopi Vice Chairman Honyaoma expressed similar sentiments.

“The Hopis and Navajos have not always seen eye to eye,” he said. “Over the

Navajo President Joe Shirley, Jr., Interior Secretary Dirk Kempthorne and Hopi Vice Chairman Todd Honyaoma signed the historic Navajo-Hopi Intergovernmental Compact at the Heard Museum in Phoenix on Friday. Watching the signing, from left to right, are Council Delegates Harry Williams, Navajo Nation Council Speaker Lawrence T. Morgan, Duane Tsinigine, Shonto Harry Brown, Raymond Maxx, Leslie Dele former Hopi Tribal Chairman Wayne Taylor and former Navajo President Albert Hale.

and Hopi nations signed documents to clear the way to co-exist on a piece of land and remove a four-decade-old development ban that is unique in American history.

Following brief congratulatory remarks from a U.S. senator and two congressmen, Navajo Nation President Joe Shirley, Jr., Hopi Vice Chairman Todd Honyaoma and Interior Secretary

years, our relationship has sometimes been good, and sometimes not. But we are neighbors, and neighbors should be friends. As leaders we know that we serve our people best when we do our best to cooperate with each other.”

News of the signing ceremony spread quickly throughout the western Navajo area this week and the event itself was organized over the course of two days. Dozens of residents from Tuba City, Cameron, Bodaway-Gap and the Bennett Freeze Area drove to Phoenix to witness it.

On Friday, the Arizona Republic published a lengthy front page story about the signing ceremony and the agreement co-written by Mark Shaffer and Betty Reid, a Navajo reporter who grew up at Bodaway-Gap in the heart of the Bennett Freeze Area.

Accompanying President Shirley to the signing ceremony was First Lady Vikki Shirley, Arizona. Sen. and former Navajo President Albert Hale, Navajo Nation Deputy Attorney General Harrison Tsosie, and the sponsor of the Navajo Nation Council legislation to approve the Intergovernmental Compact, Delegate Duane Tsinigine of Bodaway-Gap.

"I'm very much looking forward to working together on rehabilitating the land, building houses for the people out there on the land we used to call Bennett Freeze," the President said. "I'd like to see hospitals, schools, paved roads. It's about time."

The Bennett Freeze received its name from the late Commissioner of Indian Affairs Robert Bennett who imposed a construction, repair and development prohibition in July 1966 on a 1.5-million-acre area of land in the western Navajo Nation. Its intent was to force the Navajo and Hopi tribes to settle their differences over the rights to the land.

Many years later, federal court decisions reduced the area to about 700,000 acres but the original federal attempt to coerce the tribes to the negotiating table by then had long been deemed an utter failure in policy.

For years, the issue languished. But four years ago, the tribes tried again on their own with the skillful assistance of a federal mediator, 9th Circuit Court of Appeals Senior Circuit Judge William Canby, Jr. An agreement was reached at last in January 2006 and was approved by the Navajo Nation Council and Hopi Tribal Council in September.

"This compact clearly is one of the most significant agreements the Navajo and Hopi Tribes have signed together," President Shirley said. "It resolves a 40-year-old-dispute with no loss of land, no relocation, ensures the religious rights equally to both tribes and ends a development freeze that has kept the western portion of the Navajo Nation in a time warp since 1966."

Secretary Kempthorne, who has been at the Interior Department for just five months, came to the signing ceremony with Bureau of Indian Affairs Director Pat Ragsdale and Carl Artman, the associate solicitor for Indian Affairs within the Department of Interior whom the secretary introduced as the

next BIA director. Navajo Regional Office Acting Director Omar Bradley traveled from Gallup to attend the signing.



Navajo Presidents Joe Shirley, Jr., and Dr. Peterson Zah

Secretary Kempthorne called the tribal leaders gathered there "peacemakers," adding that he believed that to be one of the greatest titles anyone could have.

"It's powerful, and there is power in this room by two great peoples," he said. "You have overcome a long history of bitterness and dispute. You have made history, and because you have made history, your people have a bright future. I congratulate all of you, and I congratulate your leaders."

He said the freeze has greatly hindered the use of the land for 40 years, and has been a severe hindrance to the people who live there. He said he was pleased that the Hopi Tribe and Navajo Nation have agreed to release each other from claims, dismissed litigation, and agreed to the disposition of funds collected for the use of portions of the disputed property that are held by the Interior Department.

Vice Chairman Honyaoma said the negotiations demonstrated that the tribes can achieve cooperation between themselves.

"This agreement, this intergovernmental compact, shows beyond any doubt that the two tribes can cooperate and when they want to can get great things done," he said. "We've seen it."

President Shirley agreed, saying it takes many to accomplish good things for the people.



President Shirley and First Lady Vikki Shirley at the signing ceremony at the Heard Museum

as he put it at the time. That led to the resolution of the Navajo-Hopi Land Dispute through an Accommodation Agreement under the leadership of former Navajo President Albert Hale and former Hopi Tribal Chairman Ferrell Secakuku.

Both President Shirley and Vice Chairman Honyaoma acknowledged the leadership for former Hopi Tribal Chairman Wayne Taylor, who also attended the signing ceremony and under whose administration the negotiations began.

President Shirley also thanked two federal judges, one who helped negotiate the compact and the other who presided over the trials between the tribes. One is Judge Canby, whom the President thanked for his patience, perseverance, kindness, and cultural sensitivity during the negotiation process. The other is Federal District Judge Earl Carroll, who has presided over the tribes' land issue cases since the 1980s.

"Throughout years of difficult times and two long trials, he was very patient and understanding and displayed great sensitivity," President Shirley said of Judge Carroll. "He wrestled with many difficult legal arguments and issues, and was the one individual in the position of having to make tough decisions, which he did with grace and impartiality. We thank him."

Once Judge Carroll reviews the Compact documents, his will be the last signature needed on a court order to lift the Bennett Freeze.

President Shirley acknowledged the attendance of Navajo Nation Council Speaker Lawrence T. Morgan as well as members of the Navajo-Hopi Land Commission which included Commission Chairman Lorenzo Bedonie, Commission Vice Chairman Lee Jack, Sr., and Council Delegates Thomas Walker, Jr., Leslie Dele, Raymond Maxx and Harry Williams, Sr. Also attending was TohNanees Dizi Council Delegate Harry Goldtooth and Shonto Delegate Harry Brown.

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"No one person can do it alone," he said. "We have to work together to come to milestones like we've come to today to accomplish what we've accomplished today."

President Shirley acknowledged the work of the Navajo-Hopi Land Commission, the commission's director Roman Bitsuie, the Navajo Nation Council, Navajo Nation Attorneys General Louis Denetsosie, Levon Henry and Herb Yazzie, and attorneys Terry Fenzl, Britt Clapham, Dan Jackson and Philip Kline.

But he gave a special acknowledgement to former Navajo President Peterson Zah, who he said "helped bring an entirely new approach to these negotiations, moving us from an era of confrontation and newspaper battles to conciliation and negotiation out of the glare of the television lights."

It was under Dr. Zah's leadership that the tenor of the relationship between the tribes changed from outright antagonism to a desire to "sit under a tree" to talk things out,